

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.326 OF 2005
IN
CIVIL APPLICATION NO.87 OF 2005
IN
LPA NO.84 OF 2005
IN
WRIT PETITION NO.7924 OF 2004

Mr.Prakash Babubhai Jethva .. Applicant
V/s
Narrottam H.Parmar & Anr. .. Respondents

Mr.K.K.Tated for the Applicant.
Ms.Priya Agarwal i/by M/s.Halai & Co. for the
Respondents.

CORAM: DR.S.RADHAKRISHNAN &
V.K.TAHILRAMANI, JJ.

DATE : 21.12.2005.

P.C.:

1. Mr.Tated, the learned Counsel for the Applicant-husband, on instructions from the Applicant-husband who is personally present in Court states that during the course of the day the Applicant-husband will pay an amount of Rs.12,000/- to Respondent No.2 directly towards the maintenance payable upto the month of December, 2005. The Mr.Tated further states that the maintenance payable to Respondent No.2 from the month of January, 2006 onwards, will be paid by the Applicant-husband regularly.

2. It is agreed between the parties that hereafter the arrangement will be that the accesss of the children will be given to the Applicant-husband on every Saturday & Sunday. It is agreed between the parties that on every Saturday at 05.00 p.m. the Respondents will bring the children to the temple opposite to their house, and at the same time, the Applicant-husband will take access

of the children after signing in a notebook of the Respondent-wife and that the Applicant-husband will bring back the children at 06.00 p.m. on every Sunday at the said temple and will hand them over to the Respondents. Thus it is agreed between the parties that from 05.00 p.m. of every Saturday till 06.00 p.m. of every Sunday the Applicant-husband will be having access to the children.

3. It is stated by the Applicant-husband that the birthday of one of the daughters falls on 29/12/2005 and that the Applicant-husband is very keen to attend the birthday ceremony with a Birthday Cake. The learned Counsel for the Respondents, on instructions from the Respondents who are present in Court, states that the Applicant-husband will be allowed to visit the Respondents' place with the Birthday Cake at 06.00 p.m. on 29/12/2005 for celebrating the birthday and after cutting the Cake, he will be allowed to take the children out for two hours till 08.00 p.m.

4. The Civil Application stands disposed of in the above terms.

(DR.S.RADHAKRISHNAN, J.)

(SMT.V.K.TAHILRAMANI, J.)